



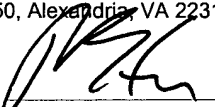
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April 23, 2004

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: MS DD, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date below:	
April 23, 2004	
Date	Robert E. Hanson

MS DD

Commissioner for Patents
P.O. Box 1450

Alexandria, Virginia 22313-1450

RE: *U.S. Patent Application No. 10/767,312 entitled "EXPRESSION LIBRARY IMMUNIZATION" – by Stephen A. Johnston, et al.*
Our Ref. UTSD:681USC1
Client Ref. UTSMD/DAL:681


Sir :

Enclosed for filing in the above-referenced patent application is an Information Disclosure Statement and Form PTO-1449.

No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to the enclosed materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/UTSD:681USC1.

Please date stamp and return the enclosed postcard evidencing receipt of these materials.

Respectfully submitted,


Robert E. Hanson
Reg. No. 42,628

REH/cas
Encl.: as noted

25395805.1



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Stephen A. Johnson et al.

Serial No.: 10/767,412

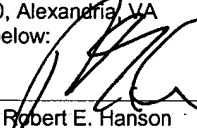
Filed: January 29, 2004

For: EXPRESSION LIBRARY IMMUNIZATION

Group Art Unit: Unknown

Examiner: Unknown

Atty. Dkt. No.: UTSD:681USC1

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
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April 23, 2004	
Date	Robert E. Hanson

INFORMATION DISCLOSURE STATEMENT

MS DD

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record.

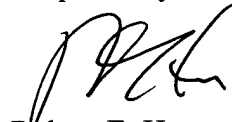
In accordance with 37 C.F.R §§ 1.97(g), (h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R § 1.97(b). No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/UTSD:681USC1.

This application is a continuation application of Serial No. 09,448,330, filed November 22, 1999, which is a divisional of Serial No. 09/001,157, filed December 30, 1996, which is a divisional of 08/421,155, filed April 7, 1995 and is relied upon for an earlier filing date under 35 U.S.C. § 120. In accordance with Rule 37 C.F.R. § 1.98(d) copies of the listed documents are not enclosed as they have been previously cited by or submitted to the Patent and Trademark Office in prior applications Serial No. 09,448,330, Serial No. 09/001,157 and Serial No. 08/421,155.

Applicants respectfully request that the listed documents be made of record in the present case.

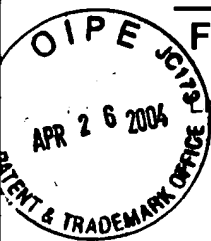
Respectfully submitted,



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Attorney for Applicants

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Date: April 23, 2004

**Form PTO-1449** (modified)

List of Patents and Publications for Applicant's

INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

Atty. Docket No.

UTSD:681USC1

Serial No.

10/767,412

Applicants

Stephen A. Johnston et al.

Filing Date:

January 29, 2004

Group:

Unknown

U.S. Patent Documents

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Foreign Patent Documents

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Other Art

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U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date if App.
	A1	4,950,589	8/10/87	Butman <i>et al.</i>	435	7.32	8/21/90
	A2	5,589,466	12/31/96	Feigner, <i>et al.</i>	514	44	01/26/95
	A3	5,451,399	09/19/95	Gimbrone, Jr. <i>et al.</i>	424	85.2	10/19/92
	A4	5,703,057	12/30/97	Johnston <i>et al.</i>	514	44	04/07/95

Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No
	B1	WO 95/05853	03/02/95	PCT			

Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C1	Ada, "Strategies for Exploiting the Immune System in the Design of Vaccines," <i>Molec. Immunol.</i> , 28(3):225-230, 1991.
	C2	Asubel <i>et al.</i> , In: <i>Current Protocols in Molecular Biology</i> , John-Wiley & Sons, New York, pp 6.0.3-6.0.4, 1988.
	C3	Ausebel, Ed., In: <i>Short Protocols in Molecular Biology A Compendium of Methods from Current Protocols in Molecular Biology</i> , 2nd Ed., Harvard Medical School, publication date unknown.
	C4	Barry <i>et al.</i> , "Protection against mycoplasma infection using expression-library immunization," <i>Nature</i> , 377:632-635, 1995.
	C5	Barry <i>et al.</i> , "Production of Monoclonal Antibodies by Genetic Immunization," <i>BioTechniques</i> , 16(4):616-620, 1994.
	C6	Coney <i>et al.</i> , "Facilitated DNA inoculation induces anti-HIV-1 immunity <i>in vivo</i> ," <i>Vaccine</i> , 12(16):1545-1550, 1994.
	C7	Conry <i>et al.</i> , "Immune Response to a Carcinoembryonic Antigen Polynucleotide Vaccine," <i>Cancer Research</i> , 54:1164-1168, 1994.

Examiner:

Date Considered:

EXAMINER: initial if reference considered, whether or not citation is in conformance with MPEP609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Information Disclosure Statement — PTO-1449 (Modified)

A: 243537(57WX011.DOC)

* Did not receive any FDR or NPL.

Form PTO-1449 (modified APR 26 2004)

List of Patents and Publications for Applicant's

INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

Atty. Docket No.

UTSD:681USC1

Serial No.

10/767,412

Applicants

Stephen A. Johnston et al.

Filing Date:

January 29, 2004

Group:

Unknown

U.S. Patent Documents

See Page 1

Foreign Patent Documents

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Other Art

See Page 1

Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C8	Conry, "Immune response to a carcinoembryonic antigen polynucleotide vaccine," <i>Cancer Research</i> , 54:1164-1168, 1994.
	C9	Cox <i>et al.</i> , "Bovine Herpesvirus 1: Immune Responses in Mice and Cattle Injected with Plasmid DNA," <i>J. Virol.</i> , 67(9):5664-5667, 1993.
	C10	Crystal, "Transfer of genes to humans: Early lessons and obstacles to success," <i>Science</i> , 270:404-409, 1995.
	C11	Davis <i>et al.</i> , "DNA-based immunization induces continuous secretion of hepatitis B surface antigen and high levels of circulating antibody," <i>Human Molecular Genetics</i> , 2:(11)1847-1851, 1993.
	C12	Eisenbraun <i>et al.</i> , "Examination of Parameters Affecting the Elicitation of Humoral Immune Responses by Particle Bombardment-Mediated Genetic Immunization," <i>DNA Cell Biol.</i> , 12(9):791-797, 1993.
	C13	Fynan <i>et al.</i> , "DNA vaccines: Protective immunizations by parenteral, mucosal, and gene-gun inoculations," <i>Proc. Natl. Acad. Sci. USA</i> , 90:11478-11482, 1993.
	C14	Fynan, "DNA vaccines: protective immunizations by parenteral, mucosal, and gene-gun inoculations," <i>PNAS</i> , 90:11478-11482, 1993.
	C15	Klein, In: <i>Immunology: The Science of Self-Nonself Discrimination</i> , John Wiley & Sons, New York, pp 6-9, 660-661, 1982.
	C16	Kovacovics-Bankowski <i>et al.</i> , "Efficient major histocompatibility complex class I presentation of exogenous antigen upon phagocytosis by macrophages," <i>Proc. Natl. Acad. Sci. USA</i> , 90:4942-4946, 1993.
	C17	Lai <i>et al.</i> , "Protection of mice against experimental murine mycoplasmosis by a <i>Mycoplasma pulmonis</i> immunogen in lysogenized <i>Escherichia coli</i> ," <i>Vaccine</i> , 12(4):291-298, 1994.
	C18	Lowrie <i>et al.</i> , "Towards a DNA vaccine against tuberculosis," <i>Vaccine</i> , 12(16):1537-1540, 1994.
	C19	Pietromonaco, "Molecular cloning of a cDNA encoding a major pathogenic domain of the Heymann nephritis antigen gp330," <i>PNAS</i> , 8:1811-1815, 1990.
	C20	Soukhanov <i>et al.</i> (Eds.), In: <i>Webster's II. New Riverside University Dictionary</i> , The Houghton Mifflin Co., Boston, MA, p 67, 1984.
	C21	Stryer, In: <i>Biochemistry</i> , W.H. Freeman and Co., San Francisco, p 732, 1975.

Examiner:

Date Considered:

EXAMINER: initial if reference considered, whether or not citation is in conformance with MPEP609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Information Disclosure Statement — PTO-1449 (Modified)

Form PTO-1449 (modified)

List of Patents and Publications for Applicant

INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

U.S. Patent Documents <i>See Page 1</i>	Foreign Patent Documents <i>See Page 1</i>	Other Art <i>See Page 1</i>
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Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C22	Tang <i>et al.</i> , "Genetic immunization is a simple method for eliciting an immune response," <i>Nature</i> , 356:152-154, 1992.
	C23	Ulmer <i>et al.</i> , "Heterologous Protection Against Influenza by Injection of DNA Encoding a Viral Protein," <i>Science</i> , 259:1745-1749, 1993.
	C24	Wang <i>et al.</i> , "DNA inoculation induces cross clade anti-HIV-1 responses," <i>Annals of the New York Academy of Sciences</i> , 772:186-197, 1995.
	C25	Wang <i>et al.</i> , "Gene inoculation generates immune responses against human immunodeficiency virus type 1," <i>Proc. Natl. Acad. Sci. USA</i> , 90:4156-4160, 1993.
	C26	Warner <i>et al.</i> , "Retroviral vectors for HIV immunotherapy," <i>Annals of the New York Academy of Sciences</i> , 772:105-116, 1995.
	C27	Xiang <i>et al.</i> , "Vaccination with a Plasmid Vector Carrying the Rabies Virus Glycoprotein Gene Induces Protective Immunity against Rabies Virus," <i>Virology</i> , 199:132-140, 1994.

Examiner:**Date Considered:**

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